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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Eric D. Edwards

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11/09/2007

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EXAMINER

AILES, BENJAMIN A

ART UNIT

PAPER NUMBER

2142

MAIL DATE

DELIVERY MODE

11/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/932,038	EDWARDS ET AL.	
	Examiner	Art Unit	
	Benjamin A. Ailes	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10,12-14,16-21,23,24,26-37 and 41-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,12-14,16-21,23,24,26-37 and 41-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to correspondence filed 05 September 2007.
2. Claims 1, 2, 4-10, 12-14, 16-21, 23, 24, 26-37 and 41-46 remain pending.

Claim Objections

3. Applicant's amendments to the claims overcome the prior claim objections and therefore the claim objections have been withdrawn.

Claim Rejections - 35 USC § 112

4. Applicant's amendments to claims 6-8 overcome the prior rejections under 112, second paragraph and therefore the prior claim rejections under 35 USC 112, second paragraph, have been withdrawn.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, 4-10, 12-14, 16-21, 23, 24, 26-37 and 41-46 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1, 2, 4-10, 12-14, 16-21, 23, 24, 26-37 and 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scibora (US 7,194,555 B2) in view of Bobo, II (US 2001/0014910 A1), hereinafter referred to as Bobo, and further in view of Manolis et al. (US 6,583,799.B1), hereinafter referred to as Manolis.

9. Regarding claim 1, Scibora teaches a computerized method, comprising: receiving one or more files at a storage location from a first device, across a first network of a first type, the received files provided to the first device by a user controlling the first device (fig. 1b and col. 4, ll. 40-54, media is sent to a website for storage). Scibora does not explicitly teach the providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files are received at the storage location. However, in related art, Bobo teaches on this aspect wherein Bobo teaches the transfer of files within a network wherein a user can be notified upon successful completion of a data transfer (Bobo, p. 4 para. 0066 and p. 10, para. 0163). One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to implement a message notification service similar

to the one taught by Bobo in combination with the remote storage method as taught by Scibora. One of ordinary skill in the art would have been motivated to combine Scibora and Bobo to further enhance and make known the availability of files through simple message notification procedures (Bobo, p. 3, para. 0021 and p. 10, para. 0163). The combination of Scibora and Bobo teaches the providing of a media transfer notification (Bobo, p. 4, para. 0066 and p. 10, para. 0163) but does not explicitly teach requested media files transferred to the user from the network storage location in one of a physical, tangible computer readable storage medium and a physical, tangible user-readable medium. However, in related art Manolis teaches on this aspect. Manolis teaches wherein a user can upload media files to a remote storage location (col. 9, ll. 58-65) and can then subsequently request from the remote storage location a copy of media files in a hard copy form (figg. 2A-2F and col. 10, ll. 9-26). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to implement in combination with Scibora and Bobo the ability for a user to order from a remote storage location a physical or tangible manifestation of a media file as taught by Manolis. One of ordinary skill in the art would have been motivated to combine Manolis with Scibora and Bobo wherein Manolis teaches ease for user to be able to upload image media files and subsequently order and print the media files to minimize time, effort and expense (Manolis, col. 3, ll. 17-21).

10. Regarding claim 2, Scibora, Bobo and Manolis teach the method further comprising generating a media transfer request at the storage location (Scibora, col. 4, ll. 40-54).

11. Regarding claim 4, Scibora, Bobo and Manolis teach the method wherein the first device is the same as the second device (Scibora, col. 4, ll. 54-57).

12. Regarding claim 5, Scibora, Bobo and Manolis teach the method further comprising a server receiving input from the first device to select one or more files in archive (Scibora, col. 4, ll. 40-54).

13. Regarding claim 6, official notice is taken in view of Scibora, Bobo and Manolis that the use of the tiff format and the JPEG format and the transformation from tiff to JPEG was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to include transformation between tiff and JPEG because these file formats are commonly used in the art.

14. Regarding claim 7, Scibora, Bobo and Manolis teach the method wherein the server provides media transfer notification to the first device (Bobo, p. 4 para. 0066 and p. 10, para. 0163).

15. Regarding claim 8, official notice is taken in view of Scibora, Bobo and Manolis that the use of the MP3 format and the DVD format and the transformation from MP3 to DVD was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to include transformation between MP3 and DVD because these file formats are commonly used in the art.

16. Regarding claim 9, Scibora, Bobo and Manolis teach the method further comprising tracking a mailing status of the media transferred files (Bobo, p. 10, para. 0163).

17. Regarding claim 10, Scibora, Bobo and Manolis teach the method wherein the first device is Internet enabled and the second device is non-Internet enabled (Bobo, para. 0067).

18. Regarding claim 12, Scibora, Bobo and Manolis teach the method wherein the first device selected from the group consisting of an ATM, a photo kiosk, a personal computer, and an Internet-enabled PDA (Scibora, col. 2, ll. 59-65).

19. Regarding claim 13, Scibora, Bobo and Manolis teach the method wherein the second device is telephony enabled (Scibora, col. 2, ll. 59-65).

20. Regarding claim 14, Scibora, Bobo and Manolis teach the method wherein the second device is selected from the group consisting of pager, telephone, fax, answering machine and telephony-enabled PDA differing from the first device being a computer (Scibora, col. 2, ll. 59-65).

21. Regarding claim 16, official notice is taken in view of Scibora, Bobo and Manolis that the use of graphic files was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to include transformation of graphic files because these file formats are commonly used in the art.

22. Regarding claim 17, Scibora, Bobo and Manolis teach the method wherein the received files are audio files (Scibora, col. 2, ll. 59-63).

23. Regarding claim 18, Scibora, Bobo and Manolis teach the method wherein the second network is the PSTN (Scibora, col. 1, ll. 10-33).

24. Regarding claim 19, Scibora, Bobo and Manolis teach the method wherein one of the first network is selected from the group consisting of the Internet, WAN, and LAN (Scibora, col. 1, ll. 10-33).

25. Regarding claim 20, Scibora, Bobo and Manolis teach the method wherein VPN is implemented on the first network (Scibora, col. 1, ll. 10-33).

26. Regarding claim 21, Scibora teaches a computerized system, comprising: receiving one or more files at a storage location from a first device, across a first network of a first type, the received files provided to the first device by a user controlling the first device (fig. 1b and col. 4, ll. 40-54, media is sent to a website for storage). Scibora does not explicitly teach the providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files are received at the storage location. However, in related art, Bobo teaches on this aspect wherein Bobo teaches the transfer of files within a network wherein a user can be notified upon successful completion of a data transfer (Bobo, p. 4 para. 0066 and p. 10, para. 0163). One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to implement a message notification service similar to the one taught by Bobo in combination with the remote storage method as taught by Scibora. One of ordinary skill in the art would have been motivated to combine Scibora and Bobo to further enhance and make known the availability of files through simple message notification procedures (Bobo, p. 3, para. 0021 and p. 10, para. 0163). The combination of Scibora and Bobo teaches the providing of a media transfer notification (Bobo, p. 4, para. 0066 and p. 10, para. 0163) but

does not explicitly teach requested media files transferred to the user from the network storage location in one of a physical, tangible computer readable storage medium and a physical, tangible user-readable medium. However, in related art Manolis teaches on this aspect. Manolis teaches wherein a user can upload media files to a remote storage location (col. 9, ll. 58-65) and can then subsequently request from the remote storage location a copy of media files in a hard copy form (figg. 2A-2F and col. 10, ll. 9-26). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to implement in combination with Scibora and Bobo the ability for a user to order from a remote storage location a physical or tangible manifestation of a media file as taught by Manolis. One of ordinary skill in the art would have been motivated to combine Manolis with Scibora and Bobo wherein Manolis teaches ease for user to be able to upload image media files and subsequently order and print the media files to minimize time, effort and expense (Manolis, col. 3, ll. 17-21).

27. Regarding claim 23, Scibora, Bobo and Manolis teach the system wherein the second device is selected from a group consisting of a pager, a telephone, a fax, an answering machine and a telephony-enabled PDA differing from the first device being a computer (Scibora, col. 2, ll. 59-65).

28. Regarding claim 24, Scibora, Bobo and Manolis teach the system wherein the first device is Internet enabled and the second device is non-Internet-enabled (Bobo, para. 0067).

29. Regarding claim 26, Scibora, Bobo and Manolis teach the system wherein the second network is PSTN (Scibora, col. 1, ll. 10-33).

30. Regarding claim 27, Scibora, Bobo and Manolis teach the system wherein the first network is a LAN (Scibora, col. 1, ll. 10-33).

31. Regarding claim 28, Scibora, Bobo and Manolis teach the system wherein the first network is a WAN (Scibora, col. 1, ll. 10-33).

32. Regarding claim 29, Scibora, Bobo and Manolis teach the system wherein the second device is telephony-enabled (Scibora, col. 2, ll. 59-65).

33. Regarding claim 30, Scibora, Bobo and Manolis teach the system where the second device is the same as the first device (Scibora, col. 4, ll. 54-57).

34. Regarding claim 31, Scibora teaches an apparatus comprising: receiving one or more files at a storage location from a first device, across a first network of a first type, the received files provided to the first device by a user controlling the first device (fig. 1b and col. 4, ll. 40-54, media is sent to a website for storage). Scibora does not explicitly teach the providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files are received at the storage location.

However, in related art, Bobo teaches on this aspect wherein Bobo teaches the transfer of files within a network wherein a user can be notified upon successful completion of a data transfer (Bobo, p. 4 para. 0066 and p. 10, para. 0163). One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to implement a message notification service similar to the one taught by Bobo in combination with the remote storage method as taught by Scibora. One of ordinary skill in the art would have been motivated to combine Scibora and Bobo to further enhance and make known the availability of files through

simple message notification procedures (Bobo, p. 3, para. 0021 and p. 10, para. 0163). The combination of Scibora and Bobo teaches the providing of a media transfer notification (Bobo, p. 4, para. 0066 and p. 10, para. 0163) but does not explicitly teach requested media files transferred to the user from the network storage location in one of a physical, tangible computer readable storage medium and a physical, tangible user-readable medium. However, in related art Manolis teaches on this aspect. Manolis teaches wherein a user can upload media files to a remote storage location (col. 9, ll. 58-65) and can then subsequently request from the remote storage location a copy of media files in a hard copy form (figg. 2A-2F and col. 10, ll. 9-26). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to implement in combination with Scibora and Bobo the ability for a user to order from a remote storage location a physical or tangible manifestation of a media file as taught by Manolis. One of ordinary skill in the art would have been motivated to combine Manolis with Scibora and Bobo wherein Manolis teaches ease for user to be able to upload image media files and subsequently order and print the media files to minimize time, effort and expense (Manolis, col. 3, ll. 17-21).

35. Regarding claim 32, Scibora, Bobo and Manolis teach the apparatus further comprising: means for transferring files (Scibora, fig. 4); and means for storing files (Scibora, fig. 4).

36. Regarding claim 33, Scibora, Bobo and Manolis teach the apparatus further comprising: means for obtaining the files in a transferred media (Scibora, col. 4, ll. 53-63).

37. Regarding claim 34, Scibora, Bobo and Manolis teach the apparatus further comprising: means for tracking a mailing status of the transferred media (Bobo, p. 10, para. 0163).

38. Regarding claim 35, Scibora teaches a machine-readable medium having executable instructions for performing a method, the method comprising: receiving one or more files at a storage location from a first device, across a first network of a first type, the received files provided to the first device by a user controlling the first device (fig. 1b and col. 4, ll. 40-54, media is sent to a website for storage). Scibora does not explicitly teach the providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files are received at the storage location. However, in related art, Bobo teaches on this aspect wherein Bobo teaches the transfer of files within a network wherein a user can be notified upon successful completion of a data transfer (Bobo, p. 4 para. 0066 and p. 10, para. 0163). One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to implement a message notification service similar to the one taught by Bobo in combination with the remote storage method as taught by Scibora. One of ordinary skill in the art would have been motivated to combine Scibora and Bobo to further enhance and make known the availability of files through simple message notification procedures (Bobo, p. 3, para. 0021 and p. 10, para. 0163). The combination of Scibora and Bobo teaches the providing of a media transfer notification (Bobo, p. 4, para. 0066 and p. 10, para. 0163) but does not explicitly teach requested media files transferred to the user from the

network storage location in one of a physical, tangible computer readable storage medium and a physical, tangible user-readable medium. However, in related art Manolis teaches on this aspect. Manolis teaches wherein a user can upload media files to a remote storage location (col. 9, ll. 58-65) and can then subsequently request from the remote storage location a copy of media files in a hard copy form (figg. 2A-2F and col. 10, ll. 9-26). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to implement in combination with Scibora and Bobo the ability for a user to order from a remote storage location a physical or tangible manifestation of a media file as taught by Manolis. One of ordinary skill in the art would have been motivated to combine Manolis with Scibora and Bobo wherein Manolis teaches ease for user to be able to upload image media files and subsequently order and print the media files to minimize time, effort and expense (Manolis, col. 3, ll. 17-21).

39. Regarding claim 36, Scibora, Bobo and Manolis teach the method further comprising: transferring the one or more files to a different media (Scibora, col. 4, ll. 40-44).

40. Regarding claim 37, Scibora, Bobo and Manolis teach the method further comprising: wherein the file transfer notification confirms a successful file transfer into an archive (Bobo, p. 10, para. 0163).

41. Regarding claim 41, Scibora teaches a system, comprising: receiving one or more files at a storage location from a first device, across a first network of a first type, the received files provided to the first device by a user controlling the first device (fig. 1b and col. 4, ll. 40-54, media is sent to a website for storage).

Scibora does not explicitly teach the providing a file transfer notification to a second device, across a second network of a second type different from the first type, when the one or more files are received at the storage location. However, in related art, Bobo teaches on this aspect wherein Bobo teaches the transfer of files within a network wherein a user can be notified upon successful completion of a data transfer (Bobo, p. 4 para. 0066 and p. 10, para. 0163). One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to implement a message notification service similar to the one taught by Bobo in combination with the remote storage method as taught by Scibora. One of ordinary skill in the art would have been motivated to combine Scibora and Bobo to further enhance and make known the availability of files through simple message notification procedures (Bobo, p. 3, para. 0021 and p. 10, para. 0163). The combination of Scibora and Bobo teaches the providing of a media transfer notification (Bobo, p. 4, para. 0066 and p. 10, para. 0163) but does not explicitly teach requested media files transferred to the user from the network storage location in one of a physical, tangible computer readable storage medium and a physical, tangible user-readable medium. However, in related art Manolis teaches on this aspect. Manolis teaches wherein a user can upload media files to a remote storage location (col. 9, ll. 58-65) and can then subsequently request from the remote storage location a copy of media files in a hard copy form (figg. 2A-2F and col. 10, ll. 9-26). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to implement in combination with Scibora and Bobo the ability for a user to order from a remote storage

location a physical or tangible manifestation of a media file as taught by Manolis. One of ordinary skill in the art would have been motivated to combine Manolis with Scibora and Bobo wherein Manolis teaches ease for user to be able to upload image media files and subsequently order and print the media files to minimize time, effort and expense (Manolis, col. 3, ll. 17-21).

42. Regarding claim 42, Scibora, Bobo and Manolis teach the system wherein the file transfer notification of an event selected from the group consisting of successful file transfer, partially successful file transfer, and unsuccessful file transfer (Bobo, p. 10, para. 0163).

43. Regarding claim 43, Scibora, Bobo and Manolis teach the system further comprising: one or more files converted to a different media and the different media delivered to an address (Scibora, col. 4, ll. 53-63).

44. Regarding claim 44, Scibora, Bobo and Manolis teach the system wherein a media transfer notification is sent to the second device to provide tracking information on a shipment of the files transferred to the different media (Bobo, p. 10, para. 0163).

45. Regarding claim 45, Scibora, Bobo and Manolis teach the system wherein the first device is a computer and the second device is a cellular telephone (Scibora, col. 2, ll. 59-65).

46. Regarding claim 46, Scibora, Bobo and Manolis teach the system wherein the second device is selected from the group consisting of pager, telephone, fax, answering machine and telephony-enabled PDA different from the first device being a computer (Scibora, col. 2, ll. 59-65).

Conclusion

47. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cao et al. (US 7,290,036 B2) teaches an electronic mail priority alert service via telephone.

Grooters et al. (US 7,260,610 B2) teaches a convergence events notification system.

48. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

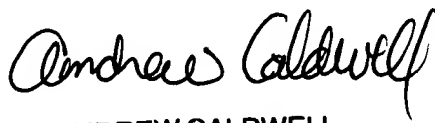
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is

(571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

baa


ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER